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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,377	01/31/2004	Alan Dry	02-022.14	7892

35374 7590 08/21/2006

LEAR CORPORATION, BLISS MCGLYNN, P.C.  
2075 WEST BIG BEAVER ROAD  
SUITE 600  
TROY, MI 48084

EXAMINER

HEITBRINK, TIMOTHY W

ART UNIT PAPER NUMBER

1722

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/769,377	DRY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tim Heitbrink	1722	

All participants (applicant, applicant's representative, PTO personnel):

(1) Tim Heitbrink. (3) \_\_\_\_\_.

(2) Jerry McGlynn. (4) \_\_\_\_\_.

Date of Interview: 17 August 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: proposed claim 1 (see attached).

Identification of prior art discussed: 6,096,251.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. McGlynn argued the new limitations to proposed claim 1 define over US Patent 6,096,251 since '251 does not show a molding tool adapted to prevent molten thermoplastic from venting along the periphery of said mold cavity. It is the Examiner's position that the molding tool AND the cover layer 12 prevent venting along the periphery of the mold cavity as shown in Fig. 2. No support is found in the specification for the molding tool alone preventing venting. The addition of a cover layer to proposed claim 1 would be a new issue since such a cover layer was never claimed until after the final rejection.

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PATENTS, TRADEMARKS  
& COPYRIGHTS

**TELEFACSIMILE MESSAGE**

TO: Examiner Tim Heitbrink

COMPANY: United States Patent & Trademark Office - Art Unit 1722

RE: Application No.: 10/769,377 - "Dual Use Molding Tool" - Inventors: Dry et al.

FILE NO.: Attorney Docket No. 04351 (3883.00067)

FAX NO.: (571) 273-8300 273 1137

FROM: Gerald E. McGlynn, III

DATE: August 17, 2006 Time: 11:30

**TOTAL NUMBER OF PAGES** 6 (including cover sheet)

If you do not receive any of these pages, please telephone us at (248) 649-6090 or telefax us at (248) 649-6299.  
Sent by: Megan

**COMMENTS:**

Attached please find the proposed amendment after final pursuant to 37 CFR 1.116 for  
the above-identified application for your consideration.

Thank you

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit: 1722 )  
Examiner: Heitbrink, Timothy W. )  
Applicant(s): Dry, et al. )  
Serial No.: 10/769,377 )  
Filing Date: January 31, 2004 )  
For: DUAL USE MOLDING TOOL )

**AMENDMENT AFTER FINAL  
ACTION PURSUANT TO  
37 C.F.R. 1.116**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*DRAFT*

Dear Sir:

This is in response to the Final Office Action dated July 18, 2006. Please amend this application as follows:

Amendments to the Claims begin on page 2.

Remarks begin on page 4.

**IN THE CLAIMS:****1. (CURRENTLY AMENDED) A dual use injection molding tool comprising:**

injection molding tool having a mold cavity and adapted to inject molten thermoplastic material into said mold cavity through both low pressure and high pressure injection molding techniques, said mold cavity adapted to form a bolster adapted for use in connection with an interior trim component for a vehicle; and

a lifter operatively engaged to said injection molding tool and disposed along the periphery of said mold cavity, said lifter adapted to actuate between a retracted, non-functional position for low pressure injection of molten thermoplastic into said mold cavity and an extended, functional position, for high pressure injection of molten thermoplastic into said mold cavity ~~to prevent molten thermoplastic material from venting along the periphery of said mold cavity,~~

wherein said molding tool is adapted to prevent molten thermoplastic from venting along the periphery of said mold cavity when a low pressure injection molding technique is employed and said lifter is actuated in an extended position to prevent molten thermoplastic from venting along the periphery of said mold cavity when a high pressure molding technique is employed ~~said lifter is actuated in a retracted position for injection of molten thermoplastic into said mold cavity through a low pressure injection molding technique and actuated in an extended position for injection of molten thermoplastic into said mold cavity through a high pressure molding technique.~~

**2. (PREVIOUSLY CANCELLED)**

3. (PREVIOUSLY CANCELLED)

4. (PREVIOUSLY CANCELLED)

5. (PREVIOUSLY CANCELLED)

6. (PREVIOUSLY CANCELLED)



## **REMARKS**

### **Introduction**

Claims 1 – 6 were originally pending in this application. Independent claim 1 has been amended. Claims 2 – 6 were previously cancelled. Thus, only independent claim 1 remains pending in this application and was finally rejected in the Office Action dated July 18, 2006. No new matter has been added.

### **Claim Rejections**

#### **35 U.S.C. § 102 - Anticipation**

Claims 1 – 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by the D'Hooren '251 patent. With the Examiner's comments in mind, claim 1 has been amended to make clear that the molding tool and lifter of the present invention prevent molten thermoplastic material from venting along the periphery of the mold cavity when low pressure and high pressure molding techniques are employed. In this way, applicants further distinguish the present invention from the related art by adding descriptive language to clarify the operation of the molding tool and lifter during low pressure injection and high pressure injection operation.

Applicants respectfully submit that independent claim 1 recites structure that is not disclosed or suggested by the prior art and is patentably distinguishable from the subject matter of the reference of record in this case. More specifically, the D'Hooren '251 patent discloses an intentional overflow (i.e. reserve) of molten thermoplastic material during injection molding operation (Column 4, Lines 1-7 and 31-39) while the present invention discloses preventing overflow of molten thermoplastic material during low pressure and high pressure injection

molding. As such, the prior art reference does not suggest, but rather teaches away from, the present invention.

**Conclusion**

Applicants respectfully submit that the amendment made herein complies with the requirements of form expressly set forth in the previous office action and otherwise present this application in better form for consideration on appeal. Accordingly, applicants respectfully request that this amendment be admitted pursuant to 37 CFR 1.116 and that the rejections previously advanced be withdrawn.

Finally, applicants respectfully maintain that the claim, as amended, clearly distinguishes over the prior art and is therefore allowable. Accordingly, applicants respectfully solicit the allowance of claim 1 pending in this case

Respectfully submitted,

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Attorney Docket No.: 04351 (3883.00067)